

FILED

DEC 12 1994

DARRELL A. LINK
C/O UNITED STATES POST OFFICE
RR1, Box 67
DELMONT, SOUTH DAKOTA 57330

William F. Cline
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

DARRELL A. LINK,
PLAINTIFF,

VS.

UNITED STATES, AS A PERSON;
BANKRUPTCY COURT FOR DISTRICT
OF SOUTH DAKOTA, AS A PERSON;
A. THOMAS POKELA,
AS TRUSTEE AND PERSONALLY;
RICK YARNALL,
AS TRUSTEE AND PERSONALLY;
BRUCE GERING,
AS TRUSTEE AND PERSONALLY;
DEFENDANTS.

CIV. NO. CV 94-4273

APPLICATION FOR
PRELIMINARY INJUNCTION
TO QUASH ORDERS
(RULE 65)

COMES NOW PETITIONER, DARRELL A. LINK, AND PETITIONS
THIS COURT FOR A PRELIMINARY INJUNCTION AGAINST THE UNITED
STATES AND ITS BANKRUPTCY COURT FOR THE DISTRICT OF SOUTH
DAKOTA, QUASHING AND BARRING THE BANKRUPTCY COURT AND ITS
AGENTS FROM ACTING ON THE ORDER CONVERTING CASE FROM CHAPTER
12 TO CHAPTER 7 AND ORDER ALLOWING TRUSTEE TO GATHER AND
SALE CATTLE OF DEBTOR, COPIES ARE HERETO ATTACHED AS
EXHIBITS A AND B, ON THE GROUNDS THAT THE BANKRUPTCY COURT
HAD NO AUTHORITY AND JURISDICTION SINCE THIS PETITIONER HAD
RESCINDED HIS SIGNATURE ON THE APPLICATION TO THE BANKRUPTCY
COURT AND HAD REVOKED ANY AND ALL CONSENT AND JURISDICTION,
BASED ON THE PREMISE OF FRAUD AND THAT PETITIONER HAD NO


RIGHT TO APPLY FOR BANKRUPTCY "PROTECTION" UNDER TITLE 11.

THIS COURT HAS JURISDICTION OVER THIS ORIGINAL ACTION UNDER 28 U.S.C. 1331, THIS MATTER INVOLVING A FEDERAL QUESTION: WHAT THE NET EFFECT IS WHEN THE SIGNATURE ON THE APPLICATION FOR BANKRUPTCY STAY IS RESCINDED, CONSENT IS WITHDRAWN, AND WHEN 11 U.S.C. 109(A) SPECIFICALLY BARS ANY PERSON THAT RESIDES OR HAS A DOMICILE, A PLACE OF BUSINESS, OR PROPERTY OUTSIDE OF THE "UNITED STATES" [AS DEFINED IN 101(51)], FROM BEING A "DEBTOR" UNDER TITLE 11. VENUE IS PROPERLY IN THIS COURT SINCE THE ACTIONS OF THE UNITED STATES AND ITS BANKRUPTCY COURT AGENTS HAVE OCCURRED WITHIN THE JUDICIAL DISTRICT OF SOUTH DAKOTA.

THIS PETITION SEEKS A PRELIMINARY INJUNCTION UNDER RULE 65 AFTER THE COMMENCEMENT OF THE HEARING OF AN APPLICATION FOR THIS PRELIMINARY INJUNCTION AND FURTHER SEEK A TEMPORARY RESTRAINING ORDER PENDING TRIAL OF THE ACTION ON THE MERITS.

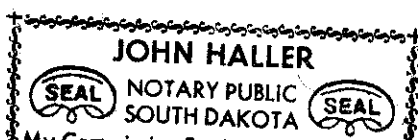
THE FOREGOING FACTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 12 DAY OF DECEMBER, 1994.



DARRELL A. LINK
C/O UNITED STATES POST OFFICE
RR 1, Box 67
DELMONT, SOUTH DAKOTA 57330

SUBSCRIBED AND AFFIRMED TO BEFORE ME ON THIS 12th DAY OF DECEMBER, 1994.





MY COMMISSION EXPIRES 5/22/95